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May 28, 1996

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Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, NW - Room 222  
Washington, DC 20554

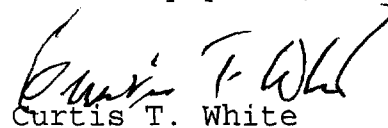
Re: CS Docket No. 96-85

Dear Mr. Caton:

Enclosed are an original and eleven copies of the Initial Comments of the joint parties for filing in the above-captioned proceeding.

Kindly contact the undersigned should you have questions.

Sincerely yours,

  
Curtis T. White

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

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In the Matter of )

Implementation of Cable Act Reform )  
Provisions of the Telecommunications )  
Act of 1996 )  
\_\_\_\_\_ )

CS Docket No. 96-85

INITIAL JOINT COMMENTS  
OF  
ALLIED ASSOCIATED PARTNERS, LP  
and  
GELD INFORMATION SYSTEMS

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

CS Docket No. 96-85

### INITIAL JOINT COMMENTS

Allied Associated Partners (Allied) and GELD Information Systems (GELD) hereby file joint comments in the above-captioned proceeding. Through this filing, the joint parties offer comment on certain policy considerations they urge the Commission to consider as it implements Congressionally mandated goals of the Telecommunications Act of 1996 (1996 Act), particularly those provisions requiring the Commission to preempt any rules, procedures or regulations which prohibit or have the effect of prohibiting the ability of any entity to provide telecommunications services.

Allied is comprised of principals and entities with operating experiences in various telecom services, including the provision of broadband and narrowband services via wireline and wireless systems. GELD is actively involved in the deployment of advanced telecommunications technology and services, with special emphasis on broadband systems designed to promote economic and human resource development, especially in central city areas. The parties hereto jointly support the adoption of rules and procedures which are competitively and technologically neutral, and which do not confer an unreasonable advantage of one technology or service provider over another technology or service provider.

The joint parties have participated in two related proceedings,<sup>1</sup> and anticipate participation in other parallel matters with a special focus on their broad categories of concern, viz:

- (i) the principles of the 1996 Act must not be construed in a manner which thwarts the fundamental Congressional directive of ensuring that benefit of technology advancement be denied any segment of the consuming public, or that implementation of services be delayed as a result of erection of any artificial barriers;
- (2) the Commission is obligated to establish national standards and a national policy framework which accelerate deployment of advanced technology to all American citizens; and
- (3) no entity should be faced with barriers which deter entry or otherwise inhibit its ability to offer telecommunications services in the pro-competitive, deregulatory era.

Given these concerns, and as a small provider of telecommunications services, particularly those focusing on economic and human resource development, the joint parties offer the following comments in this proceeding:

- 1. The 1996 Act directs the Commission to establish regulations to implement the requirements of all provisions of the Act, and to do so in a manner consistent with the public interest, convenience and necessity. The joint parties believe this Congressionally mandated directive requires the Commission to fashion explicit national rules which, among others, would reduce capital costs of and attract investment for "new entrants";
- 2. The joint parties agree with the conclusion that the definition of an "affiliate" under Title I of the 1996 Act does not apply strictly to matters falling under Title VI, particularly as such matters relate to the "small cable operators" as defined in the 1996 Act, or in this or any subsequent proceeding;

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<sup>1</sup> See Initial Joint Comments of Allied Associated Partners, LP and GELD Information Systems, CC Docket 96-45, April 8, 1996, and CC Docket No. 96-98, May 16, 1996.

3. The joint parties offer further that the threshold percentage for determining ownership of a small cable operator should, minimally, be set at 20%, although as a means of maximizing competition and encouraging new entrants, the Commission may consider establishing higher thresholds (i.e., 30% or more) for accomplishing these Congressionally mandated goals; and<sup>2</sup>

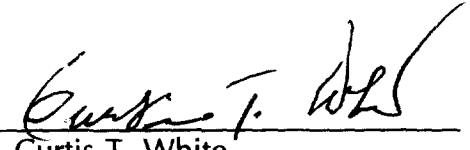
4. The joint parties urge the Commission to adopt its tentative conclusion that bulk rate discounts should be made available only through property owners or managers on behalf of all residents, and that no exception be permitted for residents who may happen to receive individual bills.

For the reasons stated, the parties request that the Commission adopt the foregoing joint recommendations.

Respectfully submitted,

Allied Associated Partners, LP  
GELD Information Systems

By: \_\_\_\_\_

  
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<sup>2</sup> The Commission addressed this matter in a related proceeding, and therein concluded that the higher threshold (i.e., 20% v. 10%) was in furtherance of the dictates of the 1996 Act. See Small System Order, 10 FCC Rcd at 7407.